

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

KEISHA L. VILLATORO,)	
)	
Plaintiff,)	
)	
v.)	1:15CV976
)	
CABARRUS COUNTY SCHOOLS, et al.,)	
)	
Defendants.)	
)	

RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

This matter is before the Court on Plaintiff's Motion for Extension of Time to File an Appeal [Doc. #12]. The Court entered an Order and Judgment [Doc. #11] on February 5, 2016, dismissing this action, and Plaintiff now seeks an extension of time to appeal that Order and Judgment.

Pursuant to Federal Rule of Appellate Procedure 4(a)(5), the district court may extend the time to file a notice of appeal if the request is made no later than 30 days after the time for filing an appeal otherwise expires, but only if the moving party shows excusable neglect or good cause for the requested extension of time. See Fed. R. App. P. 4(a)(5)(A) and Advisory Committee Note to 2002 Amendment. Here, Plaintiff's request was timely, but Plaintiff has failed to establish good cause or excusable neglect. In her Motion, Plaintiff offers no basis for her request, stating only: "I file a motion for an extension of time to file an appeal. Thank you." (Pl.'s Mot. [Doc. #12] at 1.) Accordingly, the Court has no plausible basis to find either good cause or excusable neglect underlying Plaintiff's request, and the Court will therefore recommend that Plaintiff's Motion be denied.

IT IS THEREFORE RECOMMENDED that Plaintiff's Motion for Extension of Time to File an Appeal [Doc. #12] be DENIED.

This, the 6th day of April, 2016.

/s/ Joi Elizabeth Peake
United States Magistrate Judge